

1  
2 BILL NO. Z-95-06-07  
3

4 ZONING MAP ORDINANCE NO. Z-09-95

5 AN ORDINANCE amending the City of  
6 Fort Wayne Zoning Map No. Q-2.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
8 WAYNE, INDIANA:

9  
10 SECTION 1. That the area described as follows is hereby designated an M-2  
11 (General Industrial) District under the terms of Chapter 157 Title XV of the Code of the  
12 City of Fort Wayne, Indiana of 1974:

13 Part of the Northwest Quarter of Section 7, Township 30 North, Range 13 East  
14 of the Second Principle Meridian, Allen County, Indiana, more particularly  
described as follows:

15 Beginning at a 1/2" steel rebar the intersection of the East right-of-way line of  
16 Lombard Street with the North right-of-way line of Reynolds Street as now  
17 established in the City of Fort Wayne, Indiana; thence north 89 degrees 40  
18 minutes 47 seconds East, a distance of 303.10 feet (305 feet deed) along said  
19 North right-of-way line to a 3/8" steel rebar; thence North 01 degrees 01 minutes  
20 29 seconds East, a distance of 285.66 feet to a 5/8" steel rebar set on the South  
21 right-of-way line of Molitor Street; thence North 88 degrees 30 minutes 00  
22 seconds West, a distance of 302.69 feet (302.5 feet deed) along said South right-of-way  
23 line to a 5/8" steel rebar set west of a concrete retaining wall on the East  
24 right-of-way line of said Lombard Street; thence South 01 degrees 05 minutes 25  
25 seconds West, a distance of 295.30 feet along said East right-of-way line to the  
26 Point of Beginning containing 2.020 acres more or less, subject to easements of  
27 record.

28 TOGETHER WITH:

29 Lot 25 in Roy's Addition to East Wayne  
30 Lot 36 in Roy's Addition to East Wayne  
31 Lot 35 in Roy's Addition to East Wayne  
32 and The West 14 feet of Lot 34 in Roy's Addition to East Wayne, all in the City  
of Fort Wayne, Indiana, according to the Plat thereof recorded in the Office of the  
Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. Q-2, as established by  
Section 157.016 of Title XV of the Code of the City of Fort Wayne, Indiana are hereby  
changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after  
its passage and approval by the Mayor.

Cletus R. Edmonds  
33 Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay  
34 J. TIMOTHY McCaulay, CITY ATTORNEY

Read the first time in full and on motion by Edmonds, and duly adopted, read the second time by title and referred to the Committee on Legislation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council/Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 19 day of September, at 10:00 o'clock A.M., E.S.T.

DATED: 6-12-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, and duly adopted, placed on its passage. PASSED 6-12-95 LOST None by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>	<u>1</u>		<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS				<u>✓</u>
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
LUNSEY		<u>✓</u>		
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO				

DATED: 9-12-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-09-95 on the 12th day of September, 1995

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Don J. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1995, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of September, 1995, at the hour of 5:30 o'clock P.M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

BILL NO. Z-95-06-07

REPORT OF THE COMMITTEE ON  
REGULATIONS  
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (XXXXXX) amending the City of Fort  
Wayne Zoning Map No. Q-2

HAVE HAD SAID (ORDINANCE) (RESCINCTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESCINCTION)

DO PASS  DO NOT PASS  ABSTAIN  NO REC

Colleen Kavins			
Sant Palayad			
Chavez, Tony			
Miller, Gary			
DeBartolo			
DeSchem			

DATED: 9-12-95.

Sandra E. Kennedy  
City Clerk

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN.

5/17

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

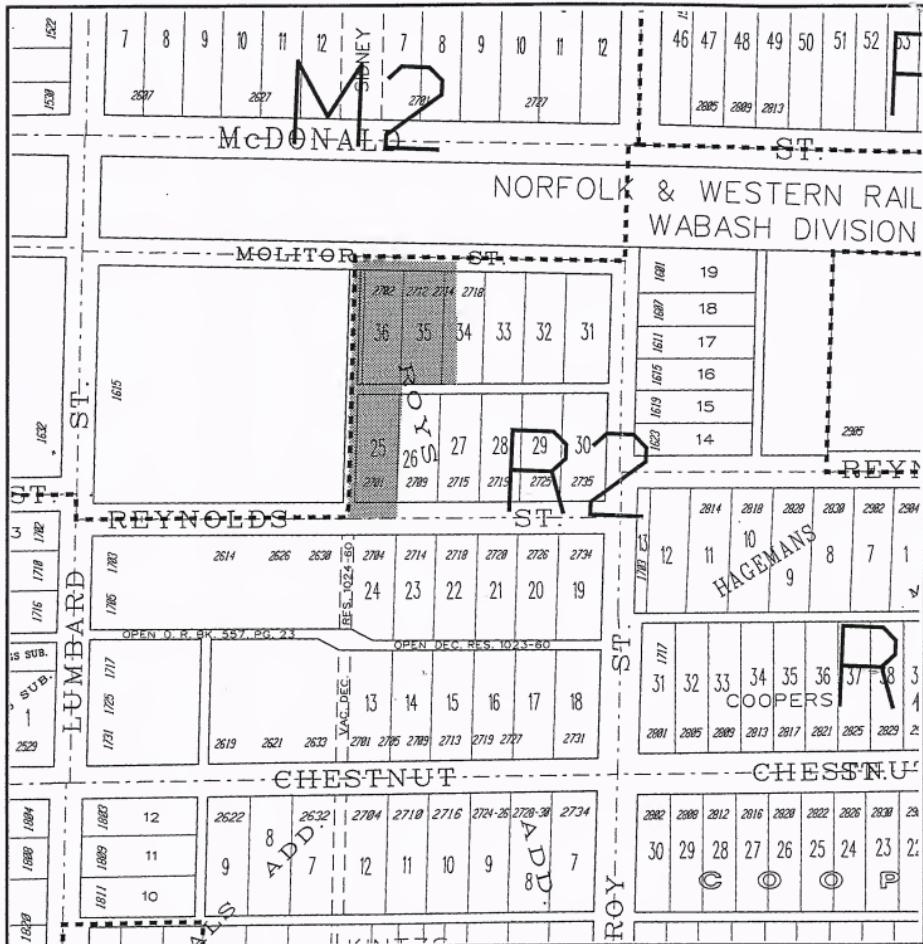
34913  
34915

PAID BY: CASH  CHECK  M.O.

# REZONING PETITION

AREA MAP

CASE NO. #589



COUNCILMANIC DISTRICT NO. 1

Map No. Q - 2  
LW 5-22-95



## Petition for a Zoning Map Amendment

Community & Economic Development / 1 Main Street Rm 630 / Fort Wayne, IN 46802 / (219) 427-1140

I/We BENTZ METAL PRODUCTS COMPANY INC do hereby petition to amend the Zoning Map of the City of Fort Wayne Indiana, by reclassifying from a/an R2 designation to a/an M2 designation, the property located at the common street address of: 2701 REYNOLDS STREET, 2702, 2712 & 2714 MOLITER STREET and further described as follows:

LOT 25 ROYS TO E WAYNE ADD, LOT 36 & 1 FT VAC ALLEY ROYS TO E WAYNE ADD,

W28 LOT 35 ROYS TO E WAYNE ADD, AND W14 LOT 34 E22 LOT 35 ROYS TO E WAYNE ADD

(Please attach a legal description if more space is needed.)

The purpose of this proposed rezoning is to permit the use of the property for the following:

TO CONVERT PROPERTIES FROM RESIDENTIAL TO MANUFACTURING

Property owners Name(s): BENTZ METAL PRODUCTS CO INC

Street Address: 5402 MOELLER ROAD

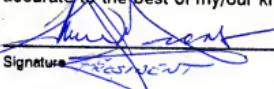
City: FORT WAYNE State: IN Zip: 46806 Phone: (219) 426-8005

Applicants Name (if different from above): N/A

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

I/We the undersigned, do hereby certify that I am/We are the owner(s) of more than fifty percent (50%) of the property described in this petition; that I/we agree to abide by all provisions of the Fort Wayne Zoning Ordinance as well as all procedures and policies of the Fort Wayne City Plan Commission as relating to the handling and disposition of this petition; and that the above information is true and accurate to the best of my/our knowledge.

 THOMAS J. GRANT

05/05/95

Signature

Printed Name

Date

Signature

Printed Name

Date

Signature

Printed Name

Date

Notes to the Applicant:

- If additional space is needed for either a legal description, or property owners names addresses and signatures, please attach same to this form.
- All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice being submitted to the newspaper for publication.
- Filing of this petition grants the City of Fort Wayne permission to post "Official Notice" on the petitioned property. Failure to post, or to maintain posting may prevent the public hearing from being held.
- All checks should be made payable to: City of Fort Wayne.

Name and address of preparer, attorney or agent.

THOMAS J. GRANT

(219) 426-8005

Telephone Number

P O BOX 6090

FORT WAYNE IN 46896

Form Rez494

Receipt #:

Date Filed:

Map #:

Reference #:

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 13, 1995 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-95-06-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 19, 1995.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1995.

Certified and signed this  
7th day of July 1995.



---

Carol Kettler Sharp  
Secretary

## FACT SHEET

Z-95-06-07

BILL NUMBER

Division of Community  
Development & Planning

## BRIEF TITLE

Zoning Map Amendment

## APPROVAL DEADLINE

From R-2 to M-2

## REASON

## DETAILS

## Specific Location and/or Address

2701 Reynolds Street; 2702, 2712 &  
2714 Molitor Street

## Reason for Project

Future Expansion of Bentz Metals Products  
Company

## Discussion (Including relationship to other Council actions)

19 June 1995 - Public Hearing

George Malcom, 4172 Greenhill Drive, general contractor for the petitioner appeared before the Commission. Mr. Malcom stated that the growth indicator for Bentz Metals for the next 10 years is that it will double. He stated that they would either have to move to a larger area or try to expand where they currently are located. He stated that there are a lot of vacant lots in the area. He stated that they currently employ 20 people. If the rezoning is approved and they expand, their overall program will eventually be to employ 80 people.

Mel Smith questioned if they would be constructing a new building.

Mr. Malcom stated that they would be adding onto the existing structure if the rezoning is approved.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

## POSITIONS

## RECOMMENDATIONS

Sponsor	City Plan Commission	
Area Affected	City Wide	Other Areas
Applicants/ Proponents	Applicant(s) Bentz Metal Products Company City Department	Other
Opponents	Groups or Individuals	Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For	<input type="checkbox"/> Against
	Reason Against	
Board or Commission Recommendation	By	
	<input checked="" type="checkbox"/> For	<input type="checkbox"/> Against
	<input type="checkbox"/> No Action Taken	
	<input type="checkbox"/> For with revisions to conditions	(See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass	<input type="checkbox"/> Other
	<input type="checkbox"/> Pass (as amended)	<input type="checkbox"/> Hold
	<input type="checkbox"/> Council Sub.	<input type="checkbox"/> Do not pass

## DETAILS

26 June 1995 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, the Chair did not vote. Motion carried.

Members Present: James Hoch, Thomas Quirk, Dave Ross, Donald Schmidt, Carol Kettler Sharp, Mel Smith

Members Absent: Linda Buskirk, Ernest Evans, Vicky VerPlanck

## POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start Date 17 May 1995

Projected Completion or Occupancy Date 7 July 1995

Fact Sheet Prepared by Date 17 July 1995  
Patricia Biancaniello

Reviewed by Date 19 July 1995  


Reference or Case Number

ORIGINAL

ORIGINAL

#589

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 2701 Reynolds Street and 2702, 2712  
and 2714 Moliter Street

Z-95-06-07

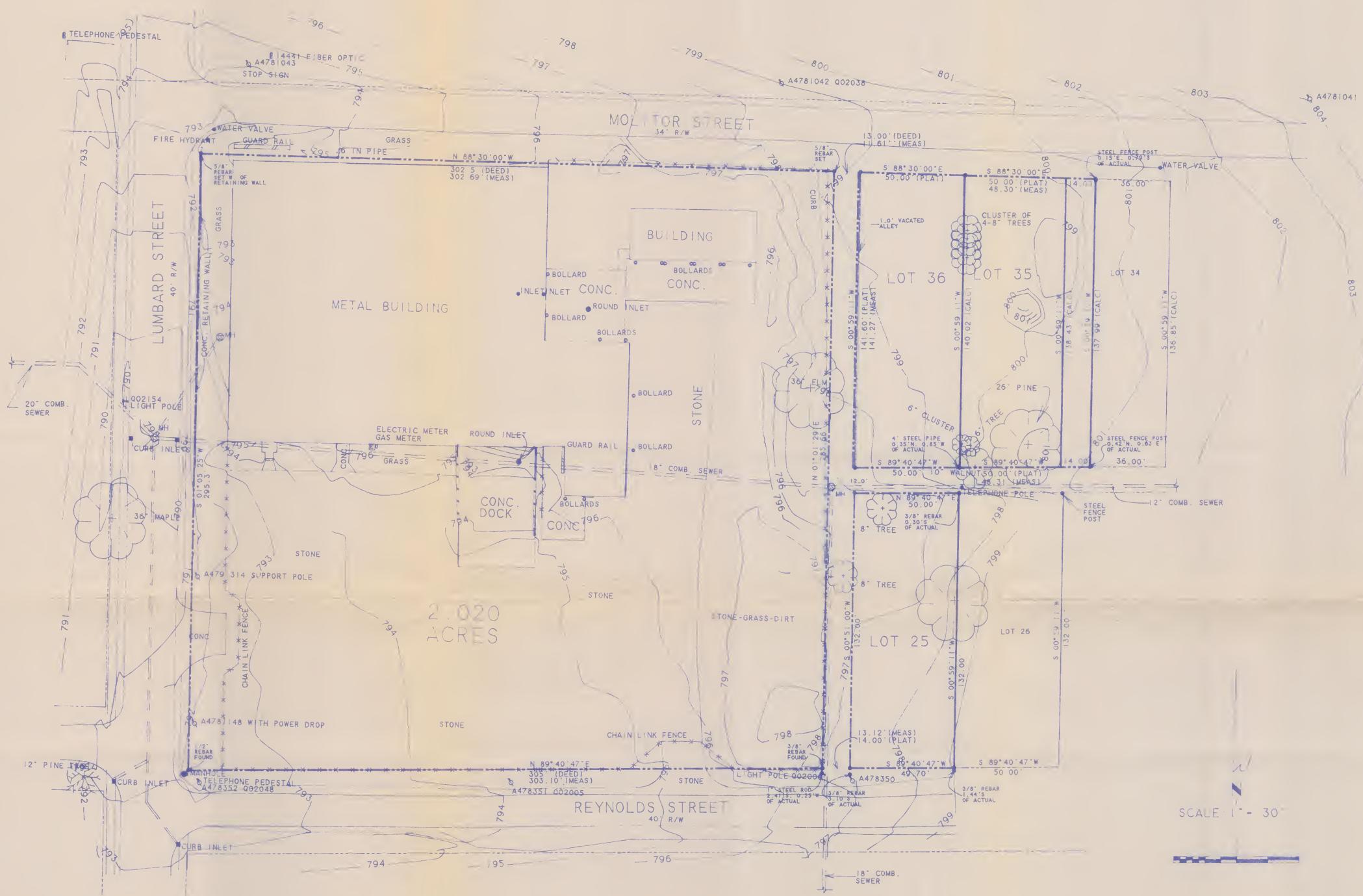
EFFECT OF PASSAGE Property is currently zoned R-2 - Two  
Family Residential. Property will be zoned M-2 - Generally

Industrial.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family  
Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE) \_\_\_\_\_



The undersigned hereby certifies that he is a Land Surveyor licensed in compliance with the laws of the State of Indiana; that this Plat correctly represents a survey completed by him on November 4, 1994; that all markers shown actually exist; and that their locations, size, type and material are accurately shown.

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted by myself in accordance with Title IAC I-12-1 thru 29.

*Richard K. Karst*  
Richard K. Karst, R.L.S. NO. S-0561

